

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

ANTONIO VELEZ DIAZ, et al.,

Civil No. 03-2068 (JAF)

Plaintiffs,

V.

AMADOR VEGA IRIZARRY, et al.,

Defendants.

O R D E R

In accordance with the Court of Appeals' September 2, 2005, Opinion and Judgment and its November 10, 2005, Mandate, it is hereby ORDERED as follows:

1. The United States is SUBSTITUTED as the defendant for plaintiffs' state law claims pursuant to 28 U.S.C. § 2679(d)(1);

2. The state law claims against FBI agents Amado Vega Irizarry, Miguel Marrero, and Jane Erickson, and Deputized FBI Task Force Agents Víctor López and Teodoro Lebrón (hereinafter "the Individual Defendants") are DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. § 2679(b);

3. The Bivens claims against the Individual Defendants are DISMISSED WITH PREJUDICE for failure to state a violation of the U.S. Constitution.

1 Civil No. 03-2068 (JAF)

-2-

2 FURTHERMORE, finding that there is no just reason for delay, the
3 clerk is directed to enter Partial Judgment under Fed. R. Civ.
4 P. 54(b) for the Individual Defendants on all of plaintiffs' claims.
5 Plaintiffs' claims against the United States remain for future
adjudication by this court.

6 **IT IS SO ORDERED.**

7 San Juan, Puerto Rico, this 2nd day of December, 2005.

8 S/José Antonio Fusté
9 JOSE ANTONIO FUSTE
10 Chief U. S. District Judge